

JUN 22 2006

PTO/SB/31 (04-05)

Approved for use through 07/31/2008, OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) <b>OT-5076</b>						
<p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]</p> <p>on <u>June 22, 2006</u></p> <p>Signature <u>Ana Ríos</u></p> <p>Typed or printed name <u>Ana Rivera</u></p>		<p>In re Application of <b>Franck Det et al.</b></p> <table border="1"> <tr> <td>Application Number <b>10/517,725</b></td> <td>Filed <b>12-10-2004</b></td> </tr> <tr> <td colspan="2"><b>For SAFETY TOP BALUSTRADE FOR A CAR...</b></td> </tr> <tr> <td>Art Unit <b>3654</b></td> <td>Examiner <b>Eric E. Pico</b></td> </tr> </table>	Application Number <b>10/517,725</b>	Filed <b>12-10-2004</b>	<b>For SAFETY TOP BALUSTRADE FOR A CAR...</b>		Art Unit <b>3654</b>	Examiner <b>Eric E. Pico</b>
Application Number <b>10/517,725</b>	Filed <b>12-10-2004</b>							
<b>For SAFETY TOP BALUSTRADE FOR A CAR...</b>								
Art Unit <b>3654</b>	Examiner <b>Eric E. Pico</b>							
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) <u>\$ 500.00</u></p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>\$ _____</u></p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input checked="" type="checkbox"/> Payment by credit card, Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>_____</u>. I have enclosed a duplicate copy of this sheet.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(e) (PTO/SB/22) is enclosed.</p>								
<p><b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the <u>Lisa A. Bongiovi</u>  <input type="checkbox"/> applicant/inventor.  <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/86)  <input type="checkbox"/> attorney or agent of record. Registration number <u>860-676-5743</u>  <input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. <u>48,933</u> Date <u>June 22, 2006</u>  </p>								
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p> <p><input type="checkbox"/> *Total of _____ forms are submitted.</p>								

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9190. **202/2006/48INAS 00000003 10517725**

01 FC:1481

500.00 0P

RECEIVED  
CENTRAL FAX CENTER  
JUN 22 2006

## FACSIMILE COVER SHEET

OTIS ELEVATOR COMPANY  
OTIS INTELLECTUAL PROPERTY DEPARTMENT  
FARMINGTON, CONNECTICUT

OUR FAX NUMBER IS: (860) 998-3886

IF ALL PAGES ARE NOT RECEIVED, CALL THE FOLLOWING NUMBER IMMEDIATELY:  
TELEPHONE: (860) 676-5761

ADDRESSEE: USPTO/Group 3654 FAX: 571-273-8300

SENDER: Ana Rivera

TOTAL NUMBER OF PAGES INCLUDING LEAD SHEET: 3

DATE: June 22, 2006

RE: US Patent Application 10/517,725  
SAFETY TOP BALUSTRADE FOR A CAR OF A MACHINE ROOM-  
LESS ELEVATOR (Det et al.)  
Our File: OT-5076

---

I hereby certify that the following document (attached) is being facsimile transmitted to the U.S. Patent and Trademark Office at (571) 273-8300 on June 22, 2006, for filing in the above-referenced application:

- Notice of Appeal (1 page); and
- Credit Card Form PTO-2038 (1 page).

  
\_\_\_\_\_  
Ana Rivera

### -NOTICE-

The information contained in this facsimile is confidential information of The Otis Elevator Company and/or its legal counsel and is intended only for the use of the named addressee. If you are not the named addressee or his or her employee/agent, please be advised that disclosure, copying, distribution and/or use of this facsimile or its contents is prohibited. If you are not the named addressee, please immediately telephone the above identified sender collect at the telephone number specified above and Otis will arrange to retrieve the documents at no expense to you. Thank you for your cooperation.